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Attorneys for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION  
STATE OF CALIFORNIA

In the Matter of:

FPPC No.: 01/248

UNITED PUBLIC EMPLOYEES  
LOCAL 790 COPE: NON-  
CANDIDATE COMMITTEE: UNITED  
PUBLIC EMPLOYEES LOCAL 790  
COPE: CANDIDATE COMMITTEE;  
JOSEPHINE MOONEY,

STIPULATION, DECISION, and  
ORDER

Respondents.

Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission, and Respondents, United Public Employees Local 790 COPE: Non-Candidate Committee; United Public Employees Local 790 COPE: Candidate Committee; and Josephine Mooney, hereby agree that this stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondents.

Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights set forth in sections 83115.5, 11503 and 11523 of the Government Code, and in section 18361 of

1 Title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally  
2 appear at any administrative hearing held in this matter, to be represented by an attorney at  
3 Respondents' own expense, to confront and cross-examine all witnesses testifying at the hearing, to  
4 subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over  
5 the hearing as a hearing officer, and to have the matter judicially reviewed.

6 It is further stipulated and agreed that Respondents violated the Political Reform Act by failing  
7 to disclose late contributions in late contribution reports, in violation of Section 84203 of the  
8 Government Code (three counts), as described in Exhibit 1, which is attached hereto and incorporated by  
9 reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this  
10 matter.

11 Respondents agree to the issuance of the decision and order, which is attached hereto.  
12 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount  
13 of One Thousand Five Hundred Dollars (\$1,500), allocated as follows:

14 Respondents United Public Employees Local 790 COPE: Non-  
15 Candidate Committee and Josephine Mooney: \$1,000.

16 Respondents United Public Employees Local 790 COPE:  
17 Candidate Committee and Josephine Mooney: \$500.

18 A cashier's check from Respondents in that amount, made payable to the "General Fund of the State of  
19 California," is submitted with this stipulation as full payment of the administrative penalty, to be held by  
20 the State of California until the Commission issues its decision and order regarding this matter. The  
21 parties agree that in the event the Commission refuses to accept this stipulation, it shall become null and  
22 void, and within fifteen (15) business days after the Commission meeting at which the stipulation is  
23 rejected, all payments tendered by Respondents in connection with this stipulation shall be reimbursed  
24 to Respondents. Respondents further stipulate and agree that in the event the Commission rejects the  
25 stipulation, and a full evidentiary hearing before the Commission becomes necessary, neither any

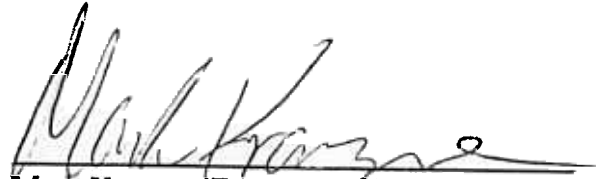
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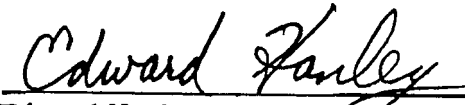
member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this stipulation.

Dated: 7/22/03

  
Mark Krausse, Executive Director  
Fair Political Practices Commission

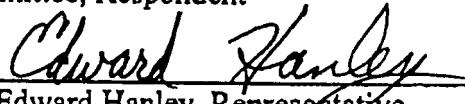
United Public Employees Local 790 COPE:  
Non-Candidate Committee, Respondent

Dated: 7-14-2003

By:   
Edward Hanley, Representative

United Public Employees Local 790 COPE: Candidate  
Committee, Respondent

Dated: 7-14-2003

By:   
Edward Hanley, Representative

Dated: 7-14-2003

  
Josephine Mooney, Respondent

### DECISION AND ORDER

The foregoing stipulation of the parties "In the Matter of United Public Employees Local 790 COPE: Non-Candidate Committee; United Public Employees Local 790 COPE: Candidate Committee; and Josephine Mooney, FPPC No. 01/248," including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Liane M. Randolph, Chairman  
Fair Political Practices Commission